IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.R.UDAYABHANU

TUESDAY, THE 6TH MARCH 2007 / 15TH PHALGUNA 1928

RP(FC).No. 113 of 2007()

AGAINST THE ORDER DATED 15/12/2006 IN M.C. 629/2005 IN CMP.1747/2006 of FAMILY COURT , MALAPPURAM

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PETITIONER/RESPONDENT:

CHUNDAKKADAN ABDURAHIMAN, AGED 33 YEARS
REPRESENTED BY POWER OF ATTORNEY HOLDER
CHUNDAKKADAN KAREEM MUSLIYAR, AGED 40 YEARS,
S/O.AHAMMED OLAVATTUR AMSOM, MALAPPURAM DISTRICT.

BY ADV. SRI.DINESH MATHEW J.MURICKEN

RESPONDENTS/ PETITIONERS 1 & 2:

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1. T.HASSEENA, D/O.THOTTIYIL MOIDEEN,
AGED 26 YEARS, PUCHALIL HOUSE, CHERUKAVU AMSOM.

2. AHAMMED SINAN (MINOR), AGED 9 YEARS,
S/O.HASEENA, REP. BY GUARDIAN AND MOTHER,
1ST RESPONDENT HASEENA.

3. STATE OF KERALA, REPRESENTED BY THE
PUBLIC PROSECUTOR, HIGH COURT OF KERALA.

BY PUBLIC PROSECUTOR SRI.AMJAD ALI
SRI.P.V.BALAKRISHNAN

THIS REV.PETITION(FAMILY COURT) HAVING COME UP FOR ADMISSION ON 06/03/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

K.R.UDAYABHANU,J

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R.P(FC). No.113 OF 2007

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Dated this the 6th day of March,2007

ORDER

The revision petitioner is the respondent in M.C.No.629 of 2005 the proceedings initiated under Section 125 Cr.P.C. The conditional order impugned in this petition passed by the court below against the revision petitioner who was exparte is that he should pay cost of Rs.5,000/- and the amount due till 21.11.2006 and shall continue to deposit the amount maintenance due to them on the same rate. The revision petitioner has sought for reconsideration of the same on the ground that he is unable to raise that much amount.

2. In the circumstances, the order is modified. The revision petitioner shall pay cost of Rs.5,000/- and 60% of the amount due towards maintenance. The amount shall be paid within one month from today onwards. The revision petitioner shall also continue to pay the amount of maintenance to the child at the rate ordered by the court below. The court below shall dispose of the main petition within four months from the date of receipt of this order.

The R.P.(F.C) is disposed of accordingly.

K.R.UDAYABHANU,JUDGE

dvs